

DEWEY & LeBOEUF LLP  
1301 Avenue of the Americas  
New York, NY 10019-6092  
Telephone: (212) 259-8000  
Facsimile: (212) 259-6333  
Seth C. Farber (sfarber@deweyleboeuf.com)  
James P. Smith III (jpsmith@deweyleboeuf.com)  
Kelly A. Librera (klibrera@deweyleboeuf.com)

*Attorneys for Ellen G. Victor, in her capacity as holder of Bernard L. Madoff Investment Securities LLC Accounts 1-ZA128-3 and 1-ZA128-4*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X

|                              |   |                                 |
|------------------------------|---|---------------------------------|
| SECURITIES INVESTOR          | : |                                 |
| PROTECTION CORPORATION,      | : |                                 |
|                              | : |                                 |
| Plaintiff-Appellant,         | : |                                 |
| v.                           | : | SIPA Liquidation                |
|                              | : | (Substantively Consolidated)    |
|                              | : | Adv. Pro. No. 08-01789          |
| BERNARD L. MADOFF INVESTMENT | : |                                 |
| SECURITIES LLC,              | : |                                 |
|                              | : | <b>NOTICE OF APPEARANCE AND</b> |
| Defendants.                  | : | <b>REQUEST FOR SERVICE OF</b>   |
|                              | : | <b>NOTICES</b>                  |
| ----- X                      | : |                                 |
| In re:                       | : |                                 |
|                              | : |                                 |
| BERNARD L. MADOFF,           | : |                                 |
|                              | : |                                 |
| Debtor.                      | : |                                 |
|                              | : |                                 |
| ----- X                      | : |                                 |

PLEASE TAKE NOTICE that Dewey & LeBoeuf LLP hereby appears in the above-captioned case as counsel to Ellen G. Victor, in her capacity as holder of Bernard L. Madoff Investment Securities LLC Accounts 1-ZA128-3 and 1-ZA128-4. Pursuant to Section 1109(b)

of Title 11 of the United States Code (the “Bankruptcy Code”) and Rules 2002, 9007, and 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Dewey & LeBoeuf LLP requests that all notices given or required to be given in this case, and all papers served or required to be served in this case, be given and served upon the following persons at the addresses and numbers set forth below:

Seth C. Farber  
James P. Smith III  
Kelly A. Librera

1301 Avenue of the Americas  
New York, NY 10019-6092  
Telephone: (212) 259-8000  
Facsimile: (212) 259-6333

E-mail:      [sfarber@deweyleboeuf.com](mailto:sfarber@deweyleboeuf.com)  
                [jpsmith@deweyleboeuf.com](mailto:jpsmith@deweyleboeuf.com)  
                [klibrera@deweyleboeuf.com](mailto:klibrera@deweyleboeuf.com)

PLEASE TAKE FURTHER NOTICE that the foregoing request includes, without limitation, any and all notices in respect of any application, motion, petition, pleading, request, complaint, demand, order or any other paper filed in this proceeding whether such notice is formal or informal, written or oral, and whether transmitted by hand delivery, United States Mail, electronic mail, expedited delivery service, telephone, telex, telecopy or otherwise.

This appearance and demand for notice and service of papers is not, and may not be deemed or construed to be, a consent to jurisdiction of the Bankruptcy Court. Further, this appearance and demand for notice and service of papers is not, and may not be deemed or construed to be, a waiver of the substantive or procedural rights of Ellen G. Victor, in her capacity as holder of Bernard L. Madoff Investment Securities LLC Accounts 1-ZA128-3 and 1-ZA128-4, including without limitation: (i) the right to have final orders in non-core matters

entered only after *de novo* review by a higher court, (ii) the right to trial by jury in any proceeding so triable or in any case, controversy, or proceeding related hereto, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which Ellen G. Victor in her capacity as holder of Bernard L. Madoff Investment Securities LLC Accounts 1-ZA128-3 and 1-ZA128-4 is, or may be entitled, in law or in equity, all of which rights, claims, actions, setoffs, and recoupments are expressly reserved.

Dated: November 13, 2009  
New York, New York

DEWEY & LEBOEUF LLP

By: /s/ James P. Smith III

Seth C. Farber

James P. Smith III

Kelly A. Librera

1301 Avenue of the Americas

New York, NY 10019-6092

Telephone: (212) 259-8000

Facsimile: (212) 259-6333

*Attorneys for Ellen G. Victor, holder of  
Bernard L. Madoff Investment Securities LLC  
Accounts 1ZA128-3 and 1ZA128-4*